

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 4, 1995

Dr. Elizabeth J. Moran  
Manager, Carbon Disulfide Panel  
Chemical Manufacturers Association  
2501 M Street, NW  
Washington DC 20037

Dear Dr. Moran:

This is in response to your December 20, 1994, letter reiterating the Chemical Manufacturers Association's concerns with the universal treatment standards (UTS) for carbon disulfide in wastewater promulgated in the Phase 2 final rule on September 19, 1994.

CMA asserts that the rulemaking record supporting the promulgated wastewater standard does not include adequate data to reflect true universality. The carbon sulfide treatability data that EPA used, included data submitted by CMA's Carbon Disulfide Panel. These data were collected from responses to the proposed wastewater standard, effluent data from Clean Water Act files covering NPDES-permitted unit performance, and treatment data for wet-air oxidation provided by representatives of the waste treatment industry.

As documented in the record supporting the Phase 2 final rule, EPA derived the 3.8 mg/l carbon disulfide standard based on data supplied by your panel. These data represented the best demonstrated available treatment technology applied to the most difficult to treat waste. In setting universal treatment standards, the Agency focuses on the most difficult to treat waste to produce a standard that is "universally" achievable. (A particular waste may still be so unique that a treatability variance is necessary and available.) In the case of carbon disulfide, the data available do not support a more lenient standard. For the most part, the other data sets supplied by your panel involved facilities which had little to no treatment and, therefore, were not an appropriate basis for the standard.

The universal standard reflects the most difficult to treat waste. Your suggestion, to have multiple limits based on BOD, amounts to establishing a more stringent standard in addition to the universal standard. This is an approach that the Agency believes would unnecessarily complicate the land disposal restrictions without a clear environmental benefit. However, the Agency may address your concern by examining appropriate risk-based levels for carbon disulfide as part of the Hazardous Waste Identification Rule. Also, the Agency is willing to examine any additional treatability data which CMA has, and meet with your panel further to discuss your concerns. You should be aware that the Agency recently proposed Clean Water Act

FaxBack # 11976

standards for the Centralized Waste Treatment industry, which includes commercial hazardous waste treaters. This proposal, which appeared in the Federal Register on January 27, 1995 (60 FR 5464), proposes a substantially more stringent limit for carbon disulfide.

We regret the delay in responding to your December letter. If you have further questions or would like to arrange a meeting, please contact Richard Kinch of my staff at 703-308-8214.

Sincerely,

Michael Shapiro  
Director  
Office of Solid Waste

cc: Richard Kinch  
Debra DiCiannia